

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0029

FILED

JUN 29 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

PEGGY L. STEVENS,

Plaintiff, Cross-Appellant and Appellee,

v.

NOVARTIS PHARMACEUTICALS CORPORATION,

Defendant and Appellant.

Appellant Novartis Pharmaceuticals Corporation has moved for an order permitting it to file a corrected opening brief. Novartis indicates that the only changes will be to the page and line numbers within the transcript citations, in order to correct the brief's reference to the wrong version of the transcript. Attached to its motion is a conversion table which matches the transcript references in the original brief to the correct transcript references.

Appellee Peggy L. Stevens objects to the request, noting that she has already filed her Appellee's brief which cited to the incorrect references, and that a new brief would require that she undertake a comparison of the new brief with the old. Stevens has no objection to the Court accepting the conversion table to use with the old brief.

Given that Stevens has already filed her brief, we deem it prudent to accept the conversion table for use with the old brief instead of accepting a new, corrected brief. Therefore,

IT IS HEREBY ORDERED that the motion to file a corrected brief is DENIED.

However, the conversion table filed by Novartis will be accepted by the Court for use in conjunction with the originally-filed brief.

The Clerk is directed to mail a true copy of this Order to counsel of record.

DATED this 29th day of ~~July~~^{June}, 2010.

Chief Justice

Jim Rice

Patricia Catter

*David
Brian Moran*

Justices